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Mock Jurors' Sensitivity to Investigator Bias

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Mock Jurors' Sensitivity to Investigator Bias

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Abstract

This study investigated jurors' ability to identify investigator bias and determine if the camera angle at which lineup identifications were recorded impacted their ability to do so. Participants saw one of twelve videos in which a witness made an identification decision from a lineup after seeing a simulated crime video depicting a mugging. Half of participants were given a biased lineup administration; the other half were given a neutral (non-biased) lineup administration. Additionally, participants saw a biased or non-biased lineup filmed from either witness focused, investigator focused, or equal focus camera angle. Subsequently, participants rendered judgments that reflected their perceptions of the investigator, the eyewitness, and the lineup itself. Participants were largely able to identify investigator bias when it was present. However, the camera angle at which the lineup identification was recorded had little impact on their ability to identify investigator bias, and had little impact on their perceptions of the investigator or the witness. The implications of these results for the videotaping of eyewitness identifications are discussed.

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Mock Juror's Sensitivity to Investigator Bias

When an individual witnesses a crime he or she may be asked by police to recount the circumstances of that crime and identify the perpetrator. These individuals, who have had a first hand account of the crime, are known as eyewitnesses. The testimonies of eyewitnesses carry considerable weight in the outcome of criminal and civil trials (Odinot & Wolters, 2006). Eyewitness evidence is estimated to play a role in approximately 60% of all cases and carries considerable weight with juries and other legal decision-makers (Glaze, 2007; Neuschatz et al., 2007). Each year in the United States, it is estimated that 77,000 people are put on trial as a result of eyewitness identification (Glaze, 2007).

Unfortunately, eyewitness error is also the leading cause of wrongful convictions in the United States (Dysart, Lawson, & Rainey, 2011). Despite the prominent role it plays in the justice system, eyewitness identification can be inaccurate and unreliable (Neuschatz et al., 2007). Considerable measures have been made to increase the reliability of eyewitness evidence and eyewitness identification is one of the most studied areas of all of psychology (Phillips, McAuliff, Covera, and Cutler, 1999). Much of this research has focused on the procedures that police use to elicit eyewitness identifications. In 1999, the National Institute of Justice (NIJ) published national guidelines for the collection and preservation of eyewitness evidence. These included recommendations for preparing mugbooks and composite lineups, interviewing witnesses, and conducting lineup identification procedures. The NIJ guidelines represent the first concerted effort at eyewitness reform. However, these guidelines were only recommendations and did not represent a mandate (at either the state of federal level) for conducting eyewitness investigations.

Many states have implemented more sweeping reforms for conducting eyewitness investigations in their local jurisdictions. New Jersey has been the most progressive state in this effort. In 2001, the New Jersey Attorney General's office issued guidelines for preparing and conducting photo and live lineup identification procedures. Thus, New Jersey became the first state in the nation to formally adopt the NIJ Guidelines. More than that, New Jersey also adopted additional procedures to increase the reliability of eyewitness evidence not found in the NIJ guidelines. These guidelines include warning the witness that the perpetrator may or may not be in the lineup, matching fillers (i.e., FOILS; people other than the suspect that comprise the lineup) to the witness's description, the recording of witness confidence immediately after their identification, and conducting lineups using a double-blind administration technique (Dysart, Lawson, & Rainey, 2011; Wells, Steblay, & Dysart, 2007). In addition, it is recommended that the lineups be conducted using a sequential format as opposed to a simultaneous format. Finally, the lineup should be conducted in a way that minimizes the impact of investigator bias.

The New Jersey Attorney General Guidelines can be broken down into three parts: (1) pre-lineup procedures, (2) lineup procedures (actually giving the lineup), and (3) post-lineup procedures. Regarding pre-lineup procedures, research has found that warning the witness that the person who committed the crime may or may not be present in the lineup can reduce false identifications (Thompson & Johnson, 2008). This instruction alerts the witness to the fact that police may not know with 100% certainty that their suspect is the person who committed the crime. In effect, it alerts the witness to the possibility of making a false identification. Thus, this instruction is believed to

strengthen the witness's response criterion, making them more selective. It is also believed to reduce reliance on the relative judgment decision process, whereby witnesses use a process of elimination to pick the best photograph (that resembles the perpetrator) relative to the other photographs in the lineups. In the pre-identification phase it is also important for the investigator to not say anything to the witness that would influence his or her decision, such as: "We're pretty confident we arrest the person who robbed you." Statements to this effect negate the effect of the "may or may not be there" instruction (Phillips et al., 1999).

There are also several recommendations for conducting the lineup itself. First, the NJ guidelines recommend that whenever possible sequential rather than simultaneous lineups should be conducted. With the sequential format, the witness only sees one lineup photograph at a time. That is, they see the photos one after another in a sequential order. In contrast, with the simultaneous lineups, all of the photographs are presented at the same time. The problem with the simultaneous lineup is that because all of the photographs are presented together witnesses tend to use a process of elimination to pick the person who most resembles the perpetrator from the crime, relative to the other pictures (Greathouse & Kovera, 2009). This is called the relative judgment process. Because the sequential lineup presents the photographs one at a time, the witness is less likely to compare the photographs to one another and more likely to compare each individual photograph to their memory for the perpetrator. This is called the absolute judgment process. The sequential format is believed to evoke more reserved response criteria and therefore reduce "choosing rates." The effect of this is to reduce false identifications without reducing correct identifications. An argument has been made that

the great number of correct identifications resulting from a simultaneous lineup are just lucky guesses from a higher rate of choosing (Wells, Steblay, & Dysart, 2012).

Another procedure that is recommended during the lineup is that the lineup should be blind, meaning that the detective or police officer who is conducting the lineup should not know who the suspect is. The blind lineup procedure is borrowed from medical research, where clinical trials are "double blind". This is done to ensure that the person who is administering the treatment to the patient does not influence the outcome of the study by treating the patient differently because he or she is in the treatment group (or the control group). A similar procedure, called a "masked review" is used for reviewing manuscript submissions to scientific journals. The people who review manuscripts for publication are supposed to be blind to the author's identity, so that this knowledge does not somehow affect the objectivity of the review. The blind procedure functions in the same way with lineups. When the investigator is blind to the suspect's identity it eliminates the possibility that the police officer can influence the outcome of the lineup. The blind procedure is primarily recommended to reduce the possibility of investigator bias which can occur when the police send cues to the witness (Greathouse & Kovera, 2009; Dysart, Lawson, & Rainey, 2011). These cues could be verbal and nonverbal signals that can influence with outcome of the lineup. Verbal cues include such statements as "Are you sure this is him? Take another look at this guy." Nonverbal cues could include the police offer directing eye-gaze at the suspect's photograph. New Jersey is among the few states that recommend that police be blind the suspect's identity.

Regarding post-identification recommendations for conducting lineups, another way that investigator bias can impact the lineup identification is through feedback to the

witness (called post-identification feedback). Post-identification feedback can occur in many ways. For example, comments made to the witness after his or her identification can affect their confidence in their identification ("That's our man. Good job. You got him."). It has been found that post identification feedback has moderate to strong effects of a witness's report of their confidence level regarding the accuracy of their identification (Dysart, Lawson, & Rainey, 2011). This is an important consideration because the eyewitness's confidence is an important cue to jurors who evaluate the credibility of the eyewitness during the trial. Artificially boosting a witness's confidence is also a problem because a witness's confidence is a poor predictor of accuracy. In other words, just because a witness is confident doesn't mean that his or her decision is correct. Conducting blind lineups is one way to protect against investigator bias and artificially increase a witness's confidence in their identification (Greathouse & Kovera, 2009). Another way to protect against confidence inflation is for the investigator to record the witness's confidence after their identification. This procedure makes the witness's confidence part of the evidence, so that if the witness's confidence increases between the time of the identification and the time of the trial, court officials can refer back to the confidence statement that was taken at the time of the identification.

Another eyewitness reform that has been discussed but not formally adopted is video recording eyewitness identifications. This reform has been suggested based on the successful policy that has been implemented for recording police interrogations. Many states, including New Jersey, require police to videotape interrogations with suspects and it has been estimated that more than half of the law enforcement agencies videotape at least some interrogations (Geller, 1992). This recommendation grew out of the

acknowledgment that some confessions were elicited through coercive tactics and were in fact false (Lassiter, Beers, Geers, Handley, Munhall, & Weiland, 2002). Videotaping interrogations is done so that judges and juries have an objective record of the interrogation process and helps to determine if the confession was voluntary, or if it was the result of coercion. Importantly, videotaped interrogations can also be used by police to refute false claims of police coercion and brutality.

There are two important recommendations that go along with videotaping police interrogations. First, police should record the entire interrogation, not just the part where the suspect confesses. In other words it's important to record the entire interview so that judges and juries can see the entire process that produced the suspect's confession. Another recommendation, one that has relevance for the current study, is that the interrogation should be videotaped from an "equal focus" camera perspective where both the suspect and the interrogator can be seen equally well. This recommendation is due to the finding that the camera angle that records the interrogation can produce a perceptual bias. When the interrogation room camera is focused on the suspect, those who view the video are more likely to believe the confession was voluntary, and when it is focused on the interrogator people who view the interrogation are more likely to believe the confession was coerced (Lassiter, Ratcliff, Ware, & Irvin, 2006; Lassiter, 2002). When the camera is focused on both parties equally, the effect appears to balance out. For this reason it is recommended that the interrogation room camera focus equally on both parties. The reason for the camera perspective bias could be as a result of illusory causation, which is the tendency to over attribute causality to a stimulus that is salient or

the focus of attention (McArthur, 1980, 1981; Taylor & Fiske, 1978). Even judges are susceptible to this kind of bias (Lassiter & Diamond, 2004).

The Current Study

The current study has three goals. The first was to determine if the camera perspective bias generalized to videotaping eyewitness identifications. The second goal was to determine if observers (i.e., mock jurors) were sensitive to investigator bias. That is, can participants identify investigator bias when the see it? And how does it affect their perceptions of the fairness of the lineup? The third goal was to determine if there is an interaction between the camera angle and jurors sensitivity to investigator bias. Does the camera angle affect jurors' ability to identify investigator bias. These are all important questions that should be addressed before local and state jurisdictions begin videotaping eyewitness identifications. In the current study, participants saw videotaped eyewitness identifications from one of three camera angles (witness focus, investigator focus, or equal focus). In addition, investigator bias was manipulated. In half of the videos the investigator delivered a biased lineup procedure; in the other half of the videos the investigator delivered a neutral lineup procedure that largely followed the New Jersey Attorney General guidelines for eyewitness investigations.

This is not the first study to examine the effect of camera angle on perceptions of eyewitness evidence. April Roll-Gaudios, a former Master's student at Montclair State University, conducted a similar study and found that the camera angle had little effect on participants' perceptions of eyewitness evidence, or their ability to identify investigator bias. However, she did find that participants were sensitive to investigator bias, regardless of the camera angle (Gaudios-Roll, 2014). In her study, participants saw a

video of an eyewitness identification filmed from one of three camera perspectives. In that video, the witness was female and the detective was male. In the current study we varied whether participants saw a male or female witness to increase the external validity of the study. Also, in her study both the eyewitness and the person who administered the lineup were played by actors following a script. In the current study, the video depicted an interaction between a mock witness (who had previously seen a crime video) and a confederate. The mock witness was attempting to make a real eyewitness identification from the video he or she had seen prior to the viewing the lineup. Thus, the current study used more realistic stimuli in an attempt to increase the external validity of the study.

Method

Participants

Participants consisted of 266 people who accessed the study on the website *www.psychsurveys.org*, a free online survey site. In addition, a link to the study was shared via the Facebook social networking site. Undergraduate students comprised a majority of the sample which they accessed through their university's credit system for their psychology classes (SONA). The participants were 83% female (221) and 17% male (45); (M =20.96 years, SD = 6.44). Their ages ranged from 18 to 57 years old. All participants completed an online informed consent form which can be found in Appendix A.

Design

The study used a 2(biased vs. non-biased lineup administration) x 3 (witness camera focus vs. investigator camera focus vs. equal camera focus) x 2 (male witness vs.

female witness) between-subjects factorial design. Participants were randomly assigned to watch one of the conditions and subsequently answer questions about the lineup, witness, and investigator.

Procedure

Participants who accessed the survey website first completed an online consent form. They were then taken to a webpage that told them they were going to see a video of an eyewitness identification and to pay attention to it, and that they would be asked questions about what the saw. They were then taken to a webpage where they were able to watch the video, which depicted the eyewitness identification. Next they were taken to webpage where they were asked questions about the video that they saw. The entire study took about 20 minutes to complete. The procedure used for creating the video stimuli that depicted the eyewitness identification is described below.

Video Stimuli and Manipulations

The witnesses were shown a video by one of the experimenters that depicted a robbery taking place in a park. A young African-American woman was walking down the path, talking on her cell phone, when an African-American man snuck up behind her and snatched her purse. He then briefly looked directly at the camera while he was running away. The witness was then taken to a separate room and seated at a table across from the investigator who administered the lineup in either a biased or neutral fashion (described below). The interaction between the witness and the investigator was approximately 3-4 minutes long. This interaction was filed from three different camera angles (described below).

Investigator bias manipulation. In the biased condition, the investigator introduced himself, stated he had a background in law enforcement, and then asked the witness to describe what he or she saw in the crime video. He then proceeded to tell the witness that they found the robber in the video (that the witness had just viewed) and he just needed them to pick the perpetrator out. The witness then examined a photo array of six African American men and tried to identify the robber in the video. After they made their choice, the investigator said "Good job. You picked the right person" before he asked what their confidence in their decision was. This was on a scale from 1 to 10 with 1 being the lowest and 10 being the highest. It is worth noting that in all conditions that actual man in the video was not present in the photo array.

In the non-biased condition, the participants watched the same crime video as described above. When they went to the room with the investigator, the investigator introduced himself, stated he had a background in law enforcement, and asked the witness to describe what he or she saw. After that, he asked the witness if she could describe the perpetrator in the video. However, he then told the witness he did not know who the suspect was, his photo may or may not be in the lineup, and asked her to identify the perpetrator from the pictures. He then asked the witness directly after the choice to state her confidence level on a scale from 1 to 10: 1 being lowest and 10 being highest.

Camera angle manipulation. There were three different camera angles in the biased and non-biased conditions. One was where the angle was focused on the witness; therefore the investigator could not be seen. Another where was the angle was focused on the investigator so the witness could not be seen. Finally, there was the angle focused equally on both the investigator and the witness.

Witness gender manipulation. There were both male and female witnesses during the taping during the biased conditions and the varying camera angles. The same eyewitness was filmed from all three camera angles and in the biased and non-biased condition there was a male and female present.

Dependent Measures. The dependent measures for this study are divided into three categories, which include perceptions of the lineup, eyewitness, and the investigator. The copy of the dependent measures can be found in Appendix B. Perceptions of the lineup and perceptions of the investigator were scored on a 6 point scale, the higher scores indicating greater agreement with the statement. Perceptions of the eyewitness were scored on a 100 point scale with higher scores indicating greater agreement with the statement.

Results

The gender of the eyewitness did not have a significant effect on the results; as a result the analysis was conducted without it. Therefore, only the bias or non-biased condition, and the camera angle were analyzed as the factors in the MANOVA. Four MANOVAs were conducted; the factors were the same for every one. The DVs changed: in the first test it was the participants' perceptions of the lineup, in the second test it was the participants' perceptions of the investigator, the third test was the participants' impression of the eyewitness.

Perceptions of the Lineup

Means and standard deviations for the dependent variables for perceptions of the lineup across investigator bias and camera angle conditions can be found in Tables 1 and Table 2. Using Pillai's Trace, there was a significant difference between investigator bias

conditions on the perceptions of lineup fairness, $F(5, 248) = 2.78$, $p = .018$, $V = .053$. The main effect of camera angle and the interaction between camera angle and investigator bias were not found to be statistically significant.

Follow-up ANOVAs were calculated to analyze the differences between investigator bias conditions for each of the dependent variables. When participants were asked if they believed the lineup was fair, there was a significant main effect of investigator bias, such that participants were more likely to agree with this statement when the lineup was biased compared to when it was not, $F(1, 252) = 12.58$, $p < .001$. Participants in the biased lineup condition were also more likely to believe the lineup should have been conducted differently compared to the non-biased condition, $F(1,252) = 6.40$, $p = .012$. However, several other questions designed to gauge participants' perceptions of the lineup produced non-significant results (see Table 1).

Perceptions of the Investigator

Means and standard deviations for dependent variables for perceptions of the investigator across investigator bias and camera angle conditions can be found in Table 3 and Table 4. Using Pillai's Trace, there was a significant effect of the investigator bias condition on the perception of the fairness of the investigator, $F(6, 247) = 8.38$, $p < .001$, $V = .169$.

Separate ANOVAs revealed there was a significant effect when the observer was asked to choose their agreement with the statement: *It was clear that the investigator wanted the eyewitness to choose the suspect,* $F(1, 252) = 26.23$, $p < .001$. Observers who saw the biased witness in the video agreed with this statement more than observers who saw the non-biased witness video. A significant effect was also found with the statement:

The investigator was very fair in the lineup, $F(1, 252) = 17.33, p < .001$. The observers in the non-biased condition agreed with this statement more than the observers in the biased condition. A significant effect was also found with the statement: *The investigator did not put any pressure on the eyewitness,* $F(1, 252) = 3.95, p = .048$. Observers in the non-biased condition agreed with this statement more than the observers in the biased condition. No significant results were found for the camera angle conditions for this category of variables, nor was the interaction between camera angle and investigator bias significant, $p > .05$.

No significant interaction was found for camera angle and investigator bias for the perception of the fairness of the investigator as a whole; however, a significant interaction was found between camera angle and investigator bias, $F(2, 258) = 3.21, p = .04$. In response to the question: *The investigator did not put any pressure on the eyewitness,* in the biased condition, when the observer saw the witness focused view they rated this statement higher than the investigator focused or equal focused views.

Perceptions of the Eyewitness

Means and standard deviations for dependent variables for perceptions of the eyewitness across investigator bias and camera angle conditions can be found in Table 5 and Table 6. Using Pillai's Trace, there was a significant effect of the investigator bias condition on the perception of the fairness of the investigator, $F(6, 247) = 4.38, p < .001$, $V = .13$.

In the non-biased condition, participants judged the witness to be more honest than the biased condition, $F(5, 258) = 5.27, p = .02$. On the measure of believability, participants judged the witness to be more believable in the non-biased condition, though

the effect was only marginally significant, F (5, 258) = 1.98, p = .06. No differences were found on measures of likability, accuracy, or trustworthiness, though the means fell in the predicted direction.

There was a significant interaction between camera angle and investigator bias on participant ratings of likability of the witness, $F(5,258) = 3.86$, $p = .02$. Ratings of the witness were significantly lower in the biased condition when the camera angle was focused on the investigator. No differences were found in likeability ratings between biased and non-biased conditions as a function of witness focused or equal focus camera angles.

Discussion

The goal of the current study was to determine if observers were capable of identifying investigator bias and how the camera angle of the eyewitness identification affected their ability to do so. Cleary, participants were influenced by investigator bias. Participants rated the lineup as more biased in the biased condition and indicated that the lineup should have been conducted differently. Participants also indicated that they believed that the investigator wanted the witness to choose a particular suspect and perceived more pressure from the investigator on the witness in the biased condition. Additionally, participants were more likely to believe the lineup was fair in the non-biased condition. The effect of investigator bias extended past perceptions of the lineup and the investigator, however. Participants in the non-biased condition judged the witness to be more honest compared to the biased condition. However, no differences were found on perceived differences in accuracy or trustworthiness of the witness between conditions. Few differences were found as a function of camera angle, indicating the

angle at which the lineup identification was recorded largely does not affect participant's ability to identify investigator bias, nor does it appear to substantially influence judgments of the witness. It should be noted, however, that ratings of the eyewitness were higher in the witness focused camera condition, though not significant with exception of likability. The witness was judged significantly less likable when the camera was focused on the investigator and the investigator was biased. One other important thing to note is that participants agreed more that no pressure was put on the eyewitness by the investigator when the camera angle was focused on the witness. This is consistent with previous research that shows that suspect's confessions are perceived to be more voluntary (i.e. less coerced) when the camera angle is focused on them. The same appears to be true for the voluntariness of witness identifications.

This study replicated the results of previous research on the effect of the camera angle on perceptions of eyewitness identifications. Participants were good judges of investigator bias and the camera angle largely did not affect their ability to do so. Not only did this study largely replicate the results of previous research, but it did so with a study design that carried greater external validity. This study manipulated witness gender and more importantly, used a lineup video is which the witness made a real eyewitness identification. Apparently, the video camera angle is of less important in the context of eyewitness identifications compared to police interrogations. As such, this study leads to no firm recommendations regarding the angle at which lineup identifications should be recorded.

Future research on this topic could consider how videotaping eyewitness identifications help jurors discriminate between true and false identifications. Previous

research has found that videotaped police interviews can assist jurors evaluate the validity of courtroom testimony but witnesses. It would be interesting to see if the same could be true for eyewitness identifications. Previous research has found that it is extremely difficult to distinguish between true and false identifications. Perhaps jurors who are able to see the process that produced the identification would fare better at this task.

This study had several limitations. First of all, it was conducted using an online survey. There was no way to check the validity of the responses by the participants. Second, the witnesses did not witness a real crime. The perception of an actual crime and trying to recall the pertinent information is clearly a different experience than observing a mock crime video. Additionally, the participants were mostly college students and therefore the results cannot be generalized. Finally, the sample of participants was over 80% female and thus likely do not represent a sample of jury eligible citizens.

In conclusion, this study replicated previous findings by demonstrating that eyewitnesses are adept at identifying investigator bias but that the camera angle of the identification situation has little impact on juror decision making. These findings should bring comfort to those who are concerned about investigator bias: jurors appear to know it when they see it. Of course, jurors can only identify investigator bias if the lineup administration is videotaped. The only conceivable reason for not videotaping eyewitness identifications is that police want to preserve the right to bias the witness. There is no other reason not to videotape lineups. Every effort should be made to maintain this important form of evidence.

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Table 1: Descriptive Statistics for Perceptions of the Lineup: Biased and Non-biased Conditions.

	Biased M (SD)	Non-Biased M (SD)
The lineup was a fair lineup.	3.27 (1.28)*	3.55 (1.27)
The lineup was biased.	3.61 (1.36)	3.04 (1.14)
The lineup was conducted properly.	3.19 (1.38)	3.50 (1.32)
The lineup was unfair to the suspect.	3.79 (1.35)	3.55 (1.32)
The lineup should have been conducted differently.	4.23 (1.30)*	3.84 (1.23)

Note: * Denotes statistically significant comparison at p=.05. between biased and non-biased conditions.

Table 2. Perceptions of the Lineup: Equal Focused, Investigator Focused, and Witness Focused Conditions

	M (*SD*)	*M* (*SD*)	*M* (*SD*)
Question	Equal Focused	Investigator Focused	Witness Focused
The lineup was a fair lineup.	3.42 (1.23)	3.43 (1.28)	3.39 (1.33)
The lineup was biased	3.17 (1.24)	3.45 (1.27)	3.33 (1.33)
The lineup was conducted properly.	3.34 (1.30)	3.32 (1.40)	3.38 (1.38)
The lineup was unfair to the suspect.	3.55 (1.37)	3.60 (1.33)	3.85 (1.30)
The lineup should have been conducted differently.	3.90 (1.35)	4.16 (1.34)	4.03 (1.15)

Table 3: Descriptive Statistics for Perceptions of the Investigator: Biased and Non-biased Conditions.

	Biased *M* (*SD*)	Non-Biased *M* (*SD*)
The investigator was a good investigator for this case.	3.20 (1.25)*	3.39 (1.28)
It was clear that the investigator wanted the eyewitness to choose the suspect.	4.64 (1.27)	3.77 (1.46)
The eyewitness was pressured into a decision by the investigator.	3.05 (1.17)	2.78 (1.19)
The investigator put a lot of pressure on the eyewitness.	2.64 (0.99)	2.58 (1.12)
The investigator was very fair in this lineup task.	3.64 (1.37)*	3.95 (1.22)

Note: * Denotes statistically significant comparison at p=.05. between biased and non-biased conditions.

Table 4. Perceptions of the Lineup: Equal Focused, Investigator Focused, and Witness Focused Conditions

	M (*SD*)	*M* (*SD*)	*M* (*SD*)
Question	Equal Focused	Investigator Focused	Witness Focused
The investigator was a good investigator for this case.	3.15 (1.24)	3.26 (1.32)	3.47 (1.23)
It was clear the investigator wanted the witness to choose the suspect.	4.01 (1.56)	4.34 (1.34)	4.22 (1.41)
The eyewitness was pressured into his decision by the investigator.	2.90 (1.17)	2.97 (1.23)	2.88 (1.19)
The investigator put a lot of pressure on the eyewitness	2.65 (1.04)	2.61 (1.14)	2.57 (1.02)
The investigator was very fair in this lineup task.	3.45 (1.27)	3.46 (1.19)	3.67 (1.17)

Table 5: Descriptive Statistics for Perceptions of the Eyewitness: Biased and Non-biased Conditions.

	Biased *M* (*SD*)	Non-Biased *M* (*SD*)
Likeability	59.34 (21.75)*	61.99 (20.46)
Trustworthiness	53.92 (22.36)	56.01 (21.45)
Honesty	63.38 (21.80)	69.13 (19.01)
Believability	55.78 (24.65)	61.23 (22.86)
Accuracy	53.16 (25.27)*	50.23 (21.48)

Note: * Denotes statistically significant comparison at $p = .05$ between biased and non-biased conditions.

Table 6. Perceptions of the Eyewitness: Equal Focused, Investigator Focused, and Witness Focused Conditions

	M (*SD*)	*M* (*SD*)	*M* (*SD*)
Question	Equal Focused	Investigator Focused	Witness Focused
Likeability	58.77 (22.22)	57.39 (22.04)	65.66 (18.20)
Trustworthiness	54.45 (21.92)	53.02 (23.56)	57.38 (20.14)
Honesty	66.27 (19.06)	63.23 (23.31)	69.39 (18.88)
Believability	58.05 (23.78)	55.25 (25.73)	62.34 (21.68)
Accuracy	50.08 (22.83)	50.58 (25.02)	54.11 (22.39)

Appendix A.

The following is the text that the participants read on the website for the informed consent on page 1:

Consent Form: Please read carefully:

Implied Consent Form
Study Title: Making Judgments About Witnesses

Hello! You are invited to participate in a study on how people evaluate eyewitness evidence. We hope to learn how eyewitness evidence is evaluated by everyday people. You were selected as a possible participant because you chose this study for course credit through MSU's SONA system, or you were invited by the Principle Investigator to participate in the study, or you contacted the Principle Investigator and expressed an interest in participating.

If you decide to participate, indicate below if you want to take part in the study. If you choose not to participate, you will be taken to another webpage. If you choose "yes," follow the instructions to start the study. In this study, you will be asked to click on a link where you will see a video of a short conversation between two people. When the video is over, you will be asked to answer questions about the video. The questions will ask what you think about what was said and how people behaved in the video. The entire session will take about 20 to 30 minutes to complete.

No benefits accrue to you for answering the survey, but your responses will be used to help inform policy guidelines about how eyewitness evidence is collected and presented in court. There are minimal risks associated with this study and they are not expected to be any greater than anything you encounter in everyday life. You may become bored or tired when completing the survey. If you do you are free to stop at any time. Data will be collected using the Internet; no guarantees can be made regarding the interception of data sent via the Internet by any third party (i.e. your employer). Confidentiality will be maintained to the degree permitted by the technology used. We strongly advise that you do not use an employer issued device (laptop, smartphone etc.) to respond to this survey. If you are participating in this study for course credit at Montclair State University, you will be asked to enter your name at the start of the survey. This information will be used to assign you course credit. If you are participating in this survey for course credit, you will receive credit regardless of whether or not you complete the survey. We course hope that you take the time to complete it! If you are not participating for course credit, you will not be asked to enter your name. If you are currently a student of Dr. Dickinson's, you are ineligible for this study.

Your decision whether or not to participate will not affect your future relationships with Montclair State University. If you decide to participate, you are free to stop at any time; you may also skip questions if you don't want to answer them or you may refuse to return the survey.

Please feel free to ask questions regarding this study. You may contact us, Brenee Mitchell, at mitchellb4@mail.montclair.edu, or Edwin Carbery, at carberye1@mail.montclair.edu, (or my faculty advisor, Dr. Jason Dickinson of the Department of Psychology at Montclair State University, at dickinsonj@mail.montclair.edu

Any questions about your rights may be directed to Dr. Katrina Bulkley, Chair of the Institutional Review Board at Montclair State University at reviewboard@mail.montclair.edu or 973-655-5189.

Thank you for your time.

Brenee Mitchell
Edwin Carbery

College of Humanities and Social Sciences
Department of Psychology
Voice: 973-655-5201
Fax: 973-655-5121

If you do not wish to consent, please exit the survey.

If you wish to consent, please click "Continue to Next Page". By clicking "Continue to Next Page" you are giving consent.

IRB protocol 001336; expires 06/05/14

Appendix B

Survey Questionnaire:

Part 1: The Lineup

Please indicate, by clicking on the appropriate number on the following 6-point scales, the extent to which you agree with the following statements.

Scale: Strongly Disagree, Disagree, Somewhat Disagree, Somewhat Agree, Agree, and Strongly Agree.

1. This lineup was a fair lineup.
2. In my opinion the administration of this lineup was biased.
3. I thought this lineup was conducted properly.
4. I thought the way this lineup was conducted was unfair to the suspect.
5. This lineup should have been conducted differently.

Part 2: The Investigator

Please indicate, by clicking on the appropriate number on the following 6-point scales, the extent to which you agree with the following statements.

Scale: Strongly Disagree, Disagree, Somewhat Disagree, Somewhat Agree, Agree, and Strongly Agree.

1. The investigator was a good investigator for this case.
2. It was clear that the investigator wanted the eyewitness to choose the suspect.
3. The eyewitness was pressured into his decision by the investigator.
4. The investigator put a lot of pressure on the eyewitness.
5. The investigator was very fair in this lineup task.

6. The investigator did not put any pressure on the eyewitness.

Part 3: Perceptions of The Eyewitness.

Please rate the eyewitness using the following series of adjective pairs. The scales are designed so that you can express the degree to which the witness seems to fit one end of the scale or the other. Which space you check should depend on the degree to which the word describes the witness.

1. Unbelievable ←→ Believable
2. Unlikable ←→ Likable
3. Trustworthy ←→ Untrustworthy
4. Honest ←→ Dishonest
5. Accurate ← → Inaccurate